

II. Examiner's Comments

Applicant requests clarification regarding some of the Examiner's comments in the Office Action. Referring to paragraph 2 of the Office Action, the Examiner states that Japanese Patent No. 03220114 to Kanji Narazaki was "used by the Examiner in the rejection of art and also used by the applicant in response to the rejection of record." This is not correct; neither the Examiner nor Applicant has relied upon this reference in the prosecution of this application other than Applicant's citation in the Information Disclosure Statement filed September 18, 2000. The Examiner further states that "a translation copy of the Japanese Patent No. 1-213221 to Godo is not available and is not used in the previous Office Action [dated October 3, 2001]." Office Action at ¶ 2. This statement is also not correct; the Examiner in fact cited the Godo reference in that Office Action. Further, Applicant provided an English translation of the Godo reference, as recorded on the Information Disclosure Statement dated September 18, 2000, and as acknowledged on the initialed Form PTO 1449 attached to the October 3, 2001, Office Action.

In light of the foregoing, Applicant requests further explanation as to the Examiner's remarks regarding these Japanese patents.

III. Rejection Under 35 U.S.C. § 103(a)

The Examiner states that the rejection of claims 1-10, 13, and 15-27 under 35 U.S.C. 103(a) over Kanji Narazaki et al. in view of Yoshihara et al. "is maintained for the reasons set forth in the previous office action in paper No. 5, dated 10/03/01." Office Action at ¶ 5.

Applicant is confused as to exactly what the Examiner is referring to in the previous Office Action because there is no rejection of record relying on Narazaki. The Office Action dated October 3, 2001, never mentions a rejection over Kanji Narazaki in view of Yoshihara. The Examiner refers to the "rejection based upon Kanji in view of Yoshihara" again in

paragraph 8 of the Office Action. Again, it is unclear as to what references the Examiner is relying on in the § 103(a) rejection. The arguments made of record rely only on the Huang, Godo, Mitsubishi, and Yoshihara references.

Because Applicant is unclear as to which references are being relied upon in the rejection under § 103(a), Applicant respectfully submits that the present rejection cannot be responded to without further clarification. Applicant respectfully requests a subsequent non-final Office Action that cures the above-identified inconsistencies. The rejection, and the basis for it, should be clearly set forth. Alternatively, Applicant would appreciate withdrawal of this rejection altogether, as it seems unfounded in light of the arguments already of record.

IV. Conclusion

In view of the foregoing remarks, Applicant respectfully requests reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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